

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 5812 of 2003

Bapuso Niranjana Magdum ..Petitioner

vs.

Maharashtra State Electricity
Board ..Respondent

Shri G.M.Sawagave for petitioner
Smt.A.R.S.Baxi for respondent.

CORAM: S.B.MHASE J.
17th March, 2006

P.C.

1. Heard the learned Counsel.

2. This matter arises out of the interim orders which were passed in Reg.Civil Suit No.45 of 2002. The said suit was filed for perpetual injunction to the effect that the respondents shall be prohibited from discontinuing the electricity supply. In fact, the respondent desired to discontinue the electricity supply since the bill of Rs.4,38,900/- was not paid. It transpires that new electricity meter was installed and the meter reading of the new meter was 28609.69. The premises were thereafter found locked whenever the meter reader of the respondents had been to the premises of the

petitioner and, therefore, the electricity bills were tendered taking the minimum expected consumption. However, when the premises were available the meter reading was taken and it was 61709. This reading was taken in January 2000. Thus the respondents have noticed that after completion of initial 1,00,000, 61,000 is the figure recorded by the meter and, therefore, the bill was given. Under these circumstances, the petitioner approached the Civil Courts. Both the Courts have considered the case of the petitioners and have rejected the application. The courts below have consistently found that the bill has been properly prepared. No interference is called for. Petition is rejected. The amount of Rs.3,00,000 deposited in the court be paid over the M.S.E.B.

(S.B.MHASE J.)